

PATENT

Application No.: 10/757,255  
Express Mail No. XX XXXXXXXXXX US

### REMARKS

- Prior to this amendment:
  - Claims 1, 3-5, 7, 8, 10-14, and 16-20 are pending.
- Upon entry of this amendment, which is respectfully requested for the reasons given below:
  - Claims 1, 3-5, 7, 8, 10-14, and 16-20 will be pending.

#### 1. **Claim Rejections – Section 102**

##### Claims 1, 3-5, 7-8, 10, 14

The Examiner has rejected claims 1, 3-5, 7-8, 10, and 14 as being anticipated by Electro-Mech. Applicants respectfully disagree with the grounds for rejection.

The Examiner has not established a date for the Electro-Mech reference. Applicants respectfully request evidence for such a date. In the absence of a date which predates Applicants' priority date, the Electro-Mech reference cannot be regarded as prior art. However, so as to expedite prosecution, Applicants will respond to the Examiner's arguments under the assumption that the Examiner can provide such a date.

##### *Claim 1*

Applicants respectfully traverse the Examiner's rejection for claim 1. With respect to Applicants' claim 1, Electro-Mech does not teach "a body that is physically unconnected to the playing surface". The "Scoreboard Assembly" instructions on page 4 of Electro-Mech recite "11. Connect your chains or cables to the eyebolts of the assembled scoreboard" and "12. Raise the scoreboard into the air and secure the chains or cables." Thus disposed, there would be a continuous physical linkage between the device of Electro-Mech and the playing surface. In other words, the device of Electro-Mech would be connected to the ceiling, which is connected to the walls, which are connected to the floor which forms the playing surface. Even Figure 1 on page 5 of Electro-Mech shows connection points for various electrical connections. Though these connections may serve the purpose of power or data transmission, they nevertheless constitute physical connections.

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Applicants note that the above distinction between Applicants' device according to claim 1 and the device of Electro-Mech is not a trivial distinction. Because Applicants' device is physically unconnected to the playing surface, the device can easily be transferred from one side of the playing surface to the other, even after a game has started, as is described in Applicants' specification with reference to figure 12. This would not be possible with Electro-Mech.

Applicants respectfully submit that claim 1 is therefore in condition for allowance.

*Claims 3-5, 7-8, 10*

With respect to claim 3, Applicants have amended claim 3 to add limitations whereby the claimed device includes "a first display for displaying the first amount of time in a first font...", "a second display for displaying the first amount of time in a second font...", "...in which the second font is different from the first font..." The Examiner has not shown any reference of record which teaches these limitations. Further the Examiner has not shown any reference of record which would suggest a motivation for these limitations.

Applicants' amended claim 3 is supported in Applicants' specification in. For example, the last 4 lines of page 16 of Applicants' specification, as well as part of page 17, state:

It may be desirable to display characters in a relatively smaller font size if a display is facing a player, since the player will generally be close to a display during the course of a chess game. However, for a display that faces away from a player and towards an audience that is further away, it may be desirable to display characters in a relatively larger font size.

Further, Applicants' specification has clearly shown a motivation for having "the first amount of time" displayed in two different fonts. Namely, there are two categories of viewers for the "first time remaining". These include the players of the game and the spectators. Different fonts may suit the different categories of viewers. Such a

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motivation for having the "first time remaining" displayed in different fonts is absent from the references of record.

Once again, Applicants would like to note that the above amendment has been made to expedite prosecution. Applicants do not necessarily agree with the Examiner's grounds for rejection, and Applicants further await a date for the Electro-Mech reference.

Applicants respectfully submit that currently amended claim 3, and dependent claims 4, 5, 7-8, 10-13 are now in condition for allowance.

#### *Claim 14*

Applicants have amended claim 14. With respect to Applicants' newly amended claim 14, Electro-Mech does not teach "an initiation means for initiating the reduction of the first time while halting the reduction of the second time". The Examiner has referred to the figure on page 9 of Electro-Mech. The figure does show a "Clock On/Off" button, which is "used to start and stop the clock". However, there is no indication that this button will perform the aforementioned limitation. Presumably, pressing the "Clock On Off" button will initiate the reduction of both the time remaining for a game and the time remaining for a shot, or the button will halt the reduction of both times. However, there is no indication that the button will initiate the reduction of one time while halting the reduction of the other.

Applicants therefore respectfully submit that claim 14 is now in condition for allowance.

## 2. **Claim Rejections – Section 103**

### Claims 3, 11-13, 16-20

#### *Claim 13*

The Examiner has rejected claim 13 as being unpatentable over Electro-Mech in view of Honekman. Applicants respectfully disagree with the grounds for rejection. However, in light of Applicants' aforementioned amendments to parent claim 3, Applicants believe dependent claim 13 is now in condition for allowance.

### *Claims 3, 11-12*

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The Examiner has rejected claims 3, 11-12 as being unpatentable over Garlock in view of Electro-Mech. Applicants respectfully disagree with the Examiner's grounds for rejection. However, as noted above, Applicants have amended claim 3, and believe that no references of record teach the added limitations. Accordingly, Applicants believe that claim 3 and dependent claims 11-12 are now in condition for allowance.

#### *Claims 16-20*

The Examiner has rejected claims 16-20 under 35 U.S.C. 103(a). The Examiner has based rejections on Garlock and Adams in the case of claims 16-17 and 19. The Examiner has based rejections on Garlock, Adams, and Chodak in the case of claim 18. The Examiner has based rejections on Garlock, Yoo, and "Applicant's admitted prior art" in the case of claims 16 and 20. Applicants respectfully disagree with the Examiner's grounds for rejection. However, Applicants have amended claims 16-19 to further expedite prosecution. In light of Applicants's amendments, the scope of claim 20 has also changed, as claim 20 is dependent off claim 16.

In reference to Applicants' claim 16, no reference of record teaches or suggests the combination of limitations including "exactly four clock buttons..." and "four displays, in which each display is operable to simultaneously display two of the times remaining." Applicants' amendments are supported, for example, by the following (the last three lines on page 34) from Applicants' specification:

Therefore, according to one or more embodiments, the time shown on display 2018 (the first player's partner's time) may also be shown on display 2012, in addition to the first player's time. Thus, the first player would be able to look at display 2012 and see not only his time, but also his partner's time.

Applicants therefore believe that claim 16, and dependent claims 17-20, are now in condition for allowance.

### **3. The Examiner's Arguments**

Applicants thank the Examiner for the thoughtful responses to Applicants' prior arguments. Applicants do not necessarily agree, but appreciate the responses

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nonetheless. Applicants do not believe further responses on our part would have direct bearing on the currently pending claims. However, Applicants may have occasion to respond in the future.

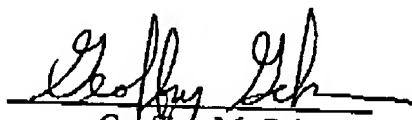
### Conclusion

It is submitted that all of the remaining claims are now in condition for allowance, and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if the Examiner has any questions regarding the present application, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Geoffrey M. Gelman at telephone number (617) 909-2066 or via electronic mail at [gmgelman@gmail.com](mailto:gmgelman@gmail.com).

Respectfully submitted,

July 20, 2007  
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